

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**May 4, 2004**

**IN RE:**

**PETITION OF COUNCE NATURAL GAS  
CORPORATION TO INCREASE ITS RATES**

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**DOCKET NO.  
04-00037**

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**ORDER ESTABLISHING PROCEDURAL SCHEDULE**

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This matter is before the Tennessee Regulatory Authority ("Authority") upon the *Petition of Counce Natural Gas Corporation to Increase its Rates ("Petition")* filed on February 4, 2004, by Counce Natural Gas Corporation ("Counce") requesting to change its tariff to reflect a rate increase. On March 24, 2004, the Consumer Advocate and Protection Division of the Tennessee Attorney General's Office ("Consumer Advocate") filed a petition to intervene in this docket.

During the April 12, 2004 Authority Conference, Chairman Deborah Taylor Tate, Director Pat Miller and Director Ron Jones, the voting panel assigned to this docket, voted unanimously to grant intervention to the Consumer Advocate and appoint the Authority's General Counsel or his designee to act as the Hearing Officer in this matter to make findings of fact and conclusions of law, as necessary, and to render an initial decision on the merits of the *Petition*, pursuant to Tenn. Code Ann. §§ 4-5-301 and 65-2-111 and such other legal authority as may be provided by law.

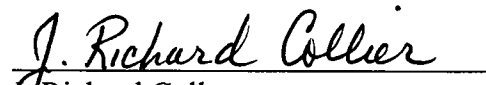
To assist in the preparation of this matter for a Hearing, the Hearing Officer hereby establishes the following schedule in this docket:

<b>All Discovery Requests Served (one copy filed with the Authority)</b>	<b>Friday, May 14, 2004</b>
<b>Objections to Discovery Filed</b>	<b>Tuesday, May 18, 2004</b>
<b>Responses to Discovery Due (one copy filed with the Authority)</b>	<b>Friday, May 28, 2004</b>
<b>Direct Testimony of Intervenor(s)</b>	<b>Friday, June 11, 2004</b>
<b>Rebuttal Testimony of Company</b>	<b>Friday, June 18, 2004</b>
<b>Hearing</b>	<b>Friday, June 25, 2004, 10:00 a.m.</b>

All filings are required to be submitted to the Authority no later than **2:00 p.m.** on the date they are due. Requests for extensions of time shall be made by written motion and shall state the grounds therefor.

**IT IS THEREFORE ORDERED THAT:**

1. The procedural schedule for this matter shall be as set forth in this Order.
2. The Hearing in this matter is scheduled for **Friday, June 25, 2004, at 10:00 a.m.** before the Hearing Officer.
3. Any motion to continue the Hearing shall be filed with the Authority no later than **Friday, June 18, 2004.**
4. Any person desiring to participate as a party in the Hearing of this matter shall file a petition to intervene with the Hearing Officer no later than **Friday, June 18, 2004.**

  
Richard Collier  
Hearing Officer